



USER'S GUIDE TO THE HERNDON ZONING ORDINANCE

3. Signs

(See Zoning Ordinance § 78-202.7, *Signs (Administration)* and § 78-508, *Signs (Development Standards)*)

The Town of Herndon Zoning Ordinance User Guide series provides the public with general information on land use regulations affecting activities undertaken by the public and administered by the Herndon Department of Community Development. It is not intended to be a complete statement of all applicable regulations. Individuals are encouraged to contact the Department of Community Development at 703-787-7380 for complete permitting requirements.

The purpose of the Herndon sign regulations is to:

- Achieve a more desirable living environment;
- Ensure that signs are appropriate and adequate but not excessive;
- Avoid excessive competition among sign displays and dangerous distractions to motorists because of excessive competitive signage;
- Maximize the ability of permitted signs to provide identification and direction;
- Minimize the clutter and unsightliness of excessive signage.

No sign (unless exempt) shall be erected, repaired, altered, relocated, maintained or displayed in the Town prior to the approval of an Administrative Sign Approval or Sign Permit.

Please see attached:

Table, "Signs Exempt from the Requirements of Obtaining an Administrative Sign Approval, a Sign Permit, or a Master Sign Plan"

Table, "Summary of Selected Sign Regulations"

Zoning regulations in effect in August 2007 from Chapter 78 of the Herndon Town Code.

What is involved in Gaining Permission from the Town to Install a Sign?

Step 1. Determine the zoning for the property by consulting the Zoning Map or by contacting a planner at the Herndon Municipal Center. Please note:

- If the site is inside the Heritage Preservation Overlay District, a Certificate of Appropriateness must be issued by the Town. This will require a public hearing with the Heritage Preservation Review Board. It is best to discuss the proposal with the Town staff before submitting an application for a Certificate of Appropriateness.
- If the site is outside the Heritage Preservation Overlay District, a public hearing with the Architectural Review Board may be required.

Step 2. Determine which type of signs are allowed (i.e., wall mounted, monument, etc.) in the zoning district by consulting the Zoning Ordinance, § 78-508, or by contacting a planner at the Herndon Municipal Center.

Step 3: Decide on the type of sign desired: freestanding, wall sign, window sign, directory sign, motor vehicle fuel price sign, etc.

Step 4. Determine whether the desired sign is:

- prohibited within the Town;
- subject to the requirements of obtaining an Administrative Sign Approval or a Sign Permit; or
- exempt from the requirement to obtain approval from the Town; study restrictions that apply to exempt signs.

Step 5. Determine the linear feet of property frontage adjacent or parallel to all open, improved public rights-of-way or public access easements.

Step 6. Determine the sign area allowed based on the type of sign proposed and the linear feet of frontage. In general, sign area is permitted at a ratio of one square foot of sign area to each linear foot of frontage, with certain maximums for certain types of signs.

Step 7. Check the Zoning Ordinance for information on exact sign heights and dimensions.

Step 8. Based on the information collected, prepare a concept design for the sign and review it with a Town planner or with a professional sign designer and fabricator.

Step 9. Obtain a copy of the application form for the type of sign desired and

- Review the submittal requirements.
- Review the application deadlines for the respective public hearing dates.
- Prepare the application package and include all information and materials required by the Town.

- Call the Department of Community Development at 703-787-7380 with any questions.

Step 10. Submit the application package before the application deadline. Applicants are encouraged to submit their application the week prior to the deadline to have their applications reviewed by Town staff for completeness. Applications received the week of the deadline and found to be incomplete will not be placed on the Board's upcoming agenda. Meetings with staff prior to the submission deadline are encouraged and may be arranged by appointment.

Summary of Selected Sign Regulations					
			Without Master Sign Plan		With Master Sign Plan
		Residential ¹	CS, CO, PDB, O&LI, PDW	CC, PDD (Downtown)	CS, CO, PDB, O&LI, CC, PDD
Wall Sign	Size	24 sf	one square foot per linear foot of building frontage, up to 150 sf per sign and 250 sf per building	one square foot per linear foot of building frontage, up to 50 sf per establishment	one square foot per linear foot of building frontage to include the length of any façade that contains a public entrance
	Max. Height	8 ft	20 ft if building is less than 35 ft in height	15 ft, or the sill of the second story window, whichever is lower, if building is less than 35 ft in height	same as without Master Sign Plan
	Illumination	indirect lighting only	yes, as allowed at § 78-508.3(4)	yes, as allowed at § 78-508.3(4)	
Window Sign	Size	not permitted	Included in permitted wall sign area. Can be up to 25% of the aggregate window area, 25 square feet or 50 percent of a single window, whichever is less.	Up to 20% of the glass area where the sign is posted	included in allowed area of wall sign
	Max. Height		no restriction	20 ft	same as without Master Sign Plan
	Illumination		yes, as allowed at § 78-508.3(4)	yes, as allowed at § 78-508.3(4)	

Summary of Selected Sign Regulations					
			Without Master Sign Plan		With Master Sign Plan
		Residential ¹	CS, CO, PDB, O&LI, PDW	CC, PDD (Downtown)	CS, CO, PDB, O&LI, CC, PDD
Projecting Sign	Size	same as for wall sign	same as for wall sign	10 sf, included in permitted wall sign area	same as for wall sign
	Max. Height				
	Illumination				
Freestanding Sign	Size	24 sf	24 sf	24 sf ²	not eligible for inclusion in Master Sign Plan
	Max. Height	8 ft for combined height of structure and sign; 6 ft for message content	12 ft for combined height of structure and sign; 8 ft for message content	8 ft for combined height of structure and sign	
	Illumination	indirect lighting only	yes, as allowed at § 78-508.3(4)	yes, as allowed at § 78-508.3(4)	
1/ Pertains to sign in residential zoning districts and for nonresidential uses in residential or planned development districts 2/Freestanding signs permitted on any parcel having a non-residential or multiple-family use in CC or PDD.					

How can an applicant make sure the sign application and approval process goes as smoothly and quickly as possible?

Applications that follow all applicable zoning regulations and that meet all submittal requirements are likely to receive approval more quickly than applications that do not. Other suggestions for easing the review process for the applicant include:

- Set aside adequate time for preparation of the sign design, specifications, and the Town's application package.
- Meet with the Town staff prior to submitting the sign application.
- Plan at least one month for the Town's approval process.
- When submitting the application, make note of the dates and times of the work session and public hearing (if required) for the application; attendance at those meetings is encouraged.
- Study the staff report issued prior to the work session and be prepared to respond to all points in the staff report at the public hearing (if required).

Informal Guidelines for Signs throughout the Town

- Master Sign Plans are recommended for non-residential development with two or more individual establishments. A Master Sign Plan allows more sign area and establishes a uniform façade and design detail plan for all window and wall signs within the development.
- Internally-lit, plastic faced, cabinet signs are discouraged. When they are used, however, opaque sign faces with translucent letters are preferred.
- If lighting is unavoidable, signs with indirect lighting, such as front lighting and down lighting, are recommended.
- Signs that reflect the building's architecture and style are encouraged.
- Building-mounted signs should be an integral part of a building's facade. The location, size, architectural style, and mounting of signs should conform to a building's architecture and not cover up or conflict with its prominent architectural features.
- Projecting or shingle signs hung from building facades are encouraged. These are oriented to people on sidewalks, not automobiles.
- Sculptural signs and signs incorporating artwork are encouraged.

- Ground mounted signs should feature a substantial base. Mounting supports should reflect the materials and design character of the building or site elements or both. Substantial landscaping around the base of monument or pedestal signs is encouraged and the landscaping should be integrated with other landscaping and features on the site.

Note:

Large lettering is not necessary for a sign to be readable. Letters 3-inches high can be read at 20 feet, and 6-inch letters can be read at 300 feet!

Formal Guidelines for Signs in the Downtown Heritage Preservation Overlay District

In addition to the informal guidelines described above, signs in the Downtown are expected to follow these guidelines from Chapter 21 of the Herndon Heritage Preservation Handbook:

- Wall signs should be confined to the flat, unadorned surfaces of the façade and they

should be placed where they best complement the building.

- Walls signs on commercial buildings should be placed no higher than the sill of the second story windows or fifteen feet from the sidewalk line, whichever is lower.
- A maximum of twelve inch high letters and symbols is recommended for wall signs and the overall height for the sign should not exceed eighteen inches.
- Average lettering height should not exceed six inches for window signs. Window signs should not be three dimensional.
- Window signs for upper floor tenants should not exceed two square feet.
- Traditional sign materials include wood, glass, gold leaf, raised individual metal or painted wood letters, and painted letters on wood, metal or glass. Plastic, black-lit signs are not appropriate in Downtown Herndon.
- The illumination of signs should be subtle and understated. Generally signs should be indirectly lit with a shielded incandescent light source.
- Any one sign should be limited to three colors.

Signs Exempt from the Requirements of Obtaining an Administrative Sign Approval, a Sign Permit, or a Master Sign Plan		
Type of sign	Sign Size Limits	Other limitations
Signs to display address numbers or for the direction or convenience of the public	Up to two square feet	No neon components allowed
Signs erected by public utilities indicating the location of underground facilities	Up to one square foot	
Freestanding signs or signs attached to fences warning against hunting, fishing, trespassing, dangerous animals, swimming prohibition, etc.	Up to two square feet	Should be placed approximately at eye level
Contractor's signs during construction	Up to 24 square feet	One sign per development, max. height 7 feet above grade
Builder/developer community sales sign	Up to 24 square feet (both sides)	- One per development; - Maximum height of 7 feet above grade.
Real estate sales or lease for individual dwelling units	Up to four square feet	- Up to 12 months - One sign allowed
Real estate sales or lease for multi-family developments	Up to 24 square feet	- Up to 7 feet in height if freestanding; - One sign per street frontage.
Temporary window signs for commercial or industrial uses.	Covering up to 20 percent of the window area	Up to 30 days
Entrance and exit signs	Up to one square foot	Text limited to "entrance" or "exit"
Signs stating whether or not a business is open or closed	Up to two square feet	- One sign for each place of business; - Displayed no more than eight feet above the first floor elevation; - Message content is limited to the word "open" if internally

Signs Exempt from the Requirements of Obtaining an Administrative Sign Approval, a Sign Permit, or a Master Sign Plan		
Type of sign	Sign Size Limits	Other limitations
		illuminated; - Voltage transformer hidden from view.
Political campaign signs on private property		Placement no more than 60 days before an election with removal within seven days after the election.
Other noncommercial signs not otherwise specifically covered by Chapter 78 of the Herndon Town Code	Up to nine square feet	- Not illuminated; - Placed no closer than 15 feet to the closest street; - Placed no closer than five feet to a side lot line; - Not higher than six feet above grade. - Kept in good condition; - Not affect traffic sight distance.

Need more information?

Have a question regarding required permits, the permit process, or application requirements? Call or make an appointment to see a member of staff in the **Department of Community Development at 703-787-7380**.

Have a question regarding Building Permits or construction codes? Call or make an appointment to see the **Building Official at 703-435-6850**.

Visit the Town of Herndon on the web at www.herndon-va.gov for the Zoning Ordinance User Guide series or to access the Town Code. Town offices are located at the Herndon Municipal Center at 777 Lynn Street, Herndon, Virginia, 20170.

User's Guide to the Zoning Ordinance Series:

1. Neighborhood Meetings and Public Participation in the Planning and Zoning Process
2. Zoning Map Amendments
3. Signs
4. Special Exceptions
5. Site Plan Review Procedures
6. Single Lot Development
7. Chesapeake Bay Provisions
8. Traffic Impact Studies
9. Subdivision Site Plans
10. Unified Commercial Subdivisions
11. Performance Guarantees
12. Heritage Preservation Regulations
13. Board of Zoning Appeals
14. Conducting a Business in the Home
15. Fences
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17. Summary of Permitted and Allowed Uses in the Zoning Districts
18. Summary of Dimensional Standards in the Zoning Districts
19. Commercial Vehicle Parking in Residential Districts
20. Parking on Lots with Single-Family Detached Dwellings
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26. Zoning Inspection and Zoning Appropriateness Permits
27. Written (Mailed) Notification to Adjacent Property Owners for Scheduled Public Hearings
28. Refuse Collection on Private Property
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30. Vacating a Street Right-of-Way
31. Portable Storage Units
32. Building Location Surveys
33. Water Quality Impact Assessments
34. Chesapeake Bay Provisions for Homeowners: Step by Step Approval Process for Single-family Detached and Duplex Dwellings
35. Roll-Off Dumpsters
36. Bed and Breakfast Establishments

Zoning Regulations Pertaining to Signs **Herndon Town Code, Chapter 78**

Article II. Administration, § 78-202.7. Signs.

(a) *Purpose.* The purpose of this Section is to establish the procedures and standards for Master Sign Plans, Master Sign Plan Conformance Permits, Sign Permits, and Administrative Sign Approvals. Additional sign regulations, including prohibited signs, are located in § 78-508, *Signs*.

(b) *Applicability.*

(1) Except for signs exempted from these requirements in § 78-202.7(c), *Exemptions*, no sign shall be erected, repaired, altered, relocated, maintained, or displayed in the Town prior to approval of an Administrative Sign Approval, Sign Permit, Master Sign Plan, or both, approved in accordance with the standards in § 78-508 of this Chapter. Nothing in this Chapter shall be construed to permit signs in public rights-of-way.

(2) Any non-residential development in which two or more individual establishments are located may request the approval of a Master Sign Plan for window and wall signs (all other signs within the development, unless exempted, must receive separate Sign Permit Approval pursuant to § 78-202.7(d), *Sign Permit and Master Sign Permit*) or Administrative Sign Approval pursuant to § 78-202.7(g). A Master Sign Plan establishes a comprehensive sign (window and wall) plan for the development. It involves a two-step review procedure involving Sign Permit approval of the Master Sign Plan itself and issuance of administratively approved Master Sign Plan Conformance Permits for individual signs allowed under the Master Sign Plan.

(3) No sign in the Town shall be erected, repaired, altered, relocated, maintained, or displayed prior to the approval of a Sign Permit or Master Sign Permit pursuant to § 78-202.7(d), a Master Sign Plan Conformance Permit pursuant to § 78-202.7(e), or an Administrative Sign Approval pursuant to § 78-202.7(g), *Administrative Sign Approval*, whichever is applicable. The Architectural Review Board reviews applications for Sign Permits for all signs in the Town, except those located in the Heritage Preservation Overlay District. The Heritage Preservation Review Board reviews applications for Sign Permits for signs in the Heritage Preservation Overlay District as described in § 78-200.4 and § 78-202.8. The Zoning Administrator reviews applications for Administrative Sign Approvals.

(4) An Administrative Sign Approval in accordance with the standards in § 78-202.7(g)(3), *Standards*, shall be obtained prior to the erection, repair, alteration, relocation, refacing or display of those signs found in § 78-508.10, *Temporary Signs*.

(c) *Exemptions.* The following signs shall be exempted from the requirements of obtaining an Administrative Sign Approval, a Sign Permit, or a Master Sign Plan. The Zoning Administrator shall determine whether or not a particular sign falls within the categories below:

(1) The changing of message content on an approved sign for: a nonresidential use in a residential district, a religious institution in any zoning district, a marquee sign.

(2) Signs erected by the duly constituted governing body including, but not limited to, traffic control signs, signals, regulatory devices, legal announcements, historical markers and directional signs.

(3) National, state or local flags of other civic, charitable, educational or philanthropic groups which can in no way be construed as advertising and which are not otherwise prohibited by Statute or Ordinance.

(4) Signs with no neon components and no larger than two square feet in total area:

a. Posting or displaying address numbers of a property or structure; and

b. Displayed for the direction or convenience of the public, including signs identifying restrooms, public telephones, freight entrance, or similar public services.

(5) Signs, no larger than one square foot in total area, placed by public utilities, indicating the location of underground facilities.

(6) Seasonal displays or decorations, not advertising a product, service or entertainment.

(7) Freestanding signs or signs attached to fences at approximately eye level, no larger than two square feet in total area, warning the public against hunting, fishing, trespassing, dangerous animals, swimming or similar activities.

(8) One contractor's sign per development during construction, no larger than 24 square feet in total area and with a maximum height of seven feet above grade.

(9) One community sales sign per development or dwelling type during construction, no larger than 24 square feet in total area and a maximum height of seven feet above grade.

(10) Real estate signs erected for less than 12 months for the purpose of advertising the sale or lease of the premises limited as follows:

a. For individual dwelling units, one sign with a total sign area no larger than four square feet.

b. For multi-family developments, one freestanding sign, per street frontage, with a total sign area of 24 square feet and a combined height of the sign and the base no more than seven feet above grade.

c. For businesses, one freestanding sign, per street frontage, with a total sign area of 24 square feet and a combined height of the sign and the base no more than seven feet above grade.

(11) Temporary window signs, with a combined square footage of no more than 20 percent of the window area and displayed for no more than 30 days.

(12) Entrance and exit signs containing those words only and with a maximum sign area of one square foot.

(13) One window sign for each place of business stating whether or not the business is open or closed to customers and meeting the following criteria:

- a. The maximum sign area shall be no more than two square feet.
- b. The sign shall not be displayed more than eight feet above grade.
- c. Message content shall be limited to the word "open" if the sign is internally illuminated, constructed of exposed internally illuminated tubing, LED lettering or similar illuminated material.
- d. Any associated voltage transformer shall be hidden from view.

(14) Political campaign signs erected not more than 60 days prior to the election. Such signs shall be removed within seven days after the election. If after reasonable notice such signs are not so removed, the Town may remove them and the candidate, organization or person who caused the sign to be erected may be charged for such removal.

(15) Noncommercial signs not otherwise specifically covered by other provisions of this Article provided that such a sign shall not exceed nine square feet in size; shall not be illuminated; shall not be erected closer than 15 feet from the closest public or private street edge of pavement or other street improvement surface; shall not be closer than five feet from a side lot line; shall not be erected taller than six feet above grade; shall be kept in good and safe condition or else removed by the owner of the premises on which the sign is located; and shall not affect traffic sight distance capabilities. The Zoning Administrator shall make determinations under this Section using standards of this Chapter and of the Town of Herndon Public Facilities Manual (1997), as amended and as may be amended from time to time. Noncommercial signs not covered by this Article shall conform to all design and construction requirements and size limitations imposed by this Chapter upon similarly situated signs. If more than one set of limitations apply, the sign must meet the more stringent standard. For the purpose of this Section, the term "similarly situated signs" means signs that could, under this Chapter, be erected by right upon property of the same zoning classification, use and size.

(d) *Sign Permit and Master Sign Plan Permit.*

(1) The procedures and requirements for submittal and review of an application are established in § 78-201, *Review Procedures*. A completed and properly filed application for a Sign Permit shall be filed with the Zoning Administrator on forms furnished by the department of community development.

(2) All applications for a Sign Permit or a Master Sign Plan Permit shall include the items required in § 78-201.3, *Submittal Requirements*, as well as the following items. The sheets for a Sign Permit or Master Sign Plan Permit may be eight and one half inches by eleven inches or eight and one-half inches by 14 inches, instead of 24 by 36 inches when appropriate.

- a. Elevation drawings of the sign and structure;
- b. Samples of the proposed materials and colors;
- c. Sign description including exact text, type face, height of letters, logo, size of logo, number of lines of text, returns, background colors, logo colors, text colors, method of mounting, and sign material;
- d. Building frontage and expected frontage for the individual establishment to which the sign applies shall be shown;
- e. A plan showing the location(s), maximum height, dimensions and maximum area of all signs;
- f. A written description, with cut sheets, or drawings regarding proposed illumination (if any);
- g. A written description of the sign copy, size(s), and proposed illumination (if any); and
- h. A written description of how the proposed sign(s) comply with the provisions in this Chapter.

(3) After preparation of the staff report and the scheduling of the hearing on the application, the Zoning Administrator shall transmit a copy of the application to the appropriate Review Board (the Architectural Review Board, unless the sign is to be located in the Heritage Preservation Overlay District; the Heritage Preservation Review Board if the sign is to be located in the Heritage Preservation Overlay District). At the hearing on the application, the Review Board shall consider the application, the relevant support materials, the staff report, and any other testimony and evidence given at the hearing. After the close of the hearing for the subject application, the Review Board shall approve, defer with the applicant's permission, or disapprove the application based on whether or not the application meets applicable standards and regulations in this Chapter, the Herndon Town Code, and other applicable local, state or federal laws.

(4) A Sign Permit or Master Sign Plan Permit may be approved upon a finding the applicant demonstrates the application complies with all relevant standards of § 78-508, *Signs*, and the relevant provisions of the Heritage Preservation Handbook, if located within the Heritage Preservation Overlay District.

(e) Wherever the use of a building or premises by a specified business or occupation is discontinued for that business or occupation, signs pertaining to that business or occupation, which were previously erected or displayed on that building, or as a freestanding sign, are deemed to be accessory to that use and therefore shall be removed within a period of 60 days following the vacation of the premises and cessation of that business or occupation on that site. It shall be the responsibility of the owner of the building or the premises to accomplish such removal in order to avoid misleading the public and to eliminate the possibility of abandoned structures falling into disrepair and thereby becoming a hazard. If, after written notice from the Zoning Administrator to the owner of the premises, such signs are not removed within ten days of such notice, the Zoning Administrator may cause such removal and charge the cost to

the owner of the premises. Any charge so levied shall be collected as a tax and any such charge having been assessed and which remains unpaid shall constitute a lien against the property as provided in Code of Virginia, Title 15.2.

(6) Unless specified otherwise by the Review Board, the sign for which the approval was granted shall be erected, repaired, altered, relocated, maintained or displayed within one year from the date of approval, or the Sign Permit shall be void.

(7) Upon written application submitted to the Zoning Administrator at least 30 days prior to the expiration of the permit period by the applicant, and upon a showing of good cause, the Review Board may grant an extension not to exceed 6 months. The approval shall be deemed extended until the Review Board acts upon the request for extension. Failure to submit an application for an extension within the time limits established by this Section shall render the Sign Permit void.

(8) A Sign Permit may be amended, extended, or modified only in accordance with the procedures and standards established for its original approval.

(e) *Master Sign Plan Conformance Permit.* To ensure window and wall signs erected by an individual establishment in a development subject to a Master Sign Plan conform to the approved Master Sign Plan, each individual establishment shall have a Master Sign Plan Conformance Permit approved pursuant to the requirements of this Section prior to the erection or construction of any window or wall signs.

The procedures and requirements for submittal and review of an application are established in § 78-201, *Review Procedures*. In addition to the requirements and procedures of § 78-202.7(d) all applications for a Master Sign Plan Conformance Permit shall include a written description indicating how the proposed sign(s) complies with the approved Master Sign Plan and indication of the building owner's support of the application.

(1) The Zoning Administrator shall review the application pursuant to the requirements of § 78-201.19, *Review Process for Applications Not Requiring a Public Hearing*. A Master Sign Plan Conformance Permit shall be approved upon a finding that the applicant has demonstrated compliance with the approved Master Sign Plan Permit and all pertinent requirements of § 78-508 and that any nonconforming signs for the establishment have been abated.

(2) Issuance of a Master Sign Plan Conformance Permit shall authorize only the installation of the specific window and wall sign(s) approved in the permit.

(3) Appeals from decisions of the Zoning Administrator on a Master Sign Conformance Permit may be taken to the Architectural Review Board if the subject property is located outside the Heritage Preservation Overlay District or otherwise, to the Heritage Preservation Review Board.

(4) Unless specified otherwise by the Zoning Administrator, installation of the sign(s) permitted under the Permit Approval shall be completed within one year from the date of approval, or the Master Sign Plan Conformance Permit shall expire and be void.

(5) Upon written application submitted at least 30 days prior to the expiration of the permit period by the applicant and upon a showing of good cause, the Zoning Administrator may grant one extension not to exceed six months. The approval shall be deemed extended until the Zoning Administrator has acted upon the request for extension. Failure to submit an application for an extension within the time established by this Section shall render the Master Sign Conformance Permit void.

(6) A Master Sign Conformance Permit may be amended, extended, or modified only in accordance with the procedures and standards established for its original approval.

(f) *Modification from Master Sign Plan for Individual Establishment.*

(1) To provide flexibility in the administration of an approved Master Sign Plan, either the applicant or the owner of an individual establishment may request the Review Board which approved the Master Sign Plan to modify the Master Sign Plan requirements for the individual establishment. The procedures and requirements for submittal and review of an application are the same as for a Standard Sign Permit, as found in § 78-202.7(d), *Sign Permit and Master Sign Plan Permit*. In addition to the submittal requirements of § 78-202.7(d) the applicant shall submit a written description of how the proposed sign(s) differ from the approved Master Sign Plan, as well as how the proposed signage will comply with the provisions in this Chapter.

(2) A request to modify the requirements of a Master Sign Plan for an individual establishment may be approved upon a finding the modification, as proposed:

a. Will result in design quality equal to or greater than that established in the Master Sign Plan through the proposed combination of colors, materials, aesthetic balance and composition, height and width, area, placement, and typeface, or use of any symbols, designs, and logos; and

b. Will not detract from or be detrimental to the appearance of the development and its signs approved under the Master Sign Plan.

(g) *Administrative Sign Approval.* The procedures and requirements for submittal and review of an application are established in §§ 78-201.1--78-201.6, *Review Procedures*.

(1) All applications for a Sign Permit shall include all the items required in § 78-201.3, *Submittal Requirements*, as well as the following:

a. A plan showing proposed location(s) and dimensions of all signs;

- b. Sign description including exact text, type face, height of letters, logo, size of logo, number of lines of text, background colors, logo colors, text colors, method of mounting, method of illumination and sign material;
- c. A description of the line of sight and location of the sign on the site; and
- d. Dates and number of days of display.

(2) The Zoning Administrator shall review the application pursuant to the requirements of § 78-201.19, *Review Process for Applications Not Requiring a Public Hearing*.

(3) Administrative Sign Approval shall be granted upon a finding the applicant demonstrates the sign complies with the standards of § 78-508, *Signs*. The Administrative Sign Approval shall state the duration of the permit.

(h) *Inspection*. Any sign for which a Sign Permit, Master Sign Conformance Permit or an Administrative Sign Permit has been approved shall be subject to inspection by the Zoning Administrator. If the sign fails to pass the required inspection, the applicant shall correct the items not in compliance within 30 days or the Sign Permit, Master Sign Plan Conformance Permit, or Administrative Sign Approval shall be deemed invalid and void and the sign shall be removed.

(Ord. No. 07-O-08, §§ 1, 2, 2-27-2007)

Article V. Development Standards, § 78-508. Signs.

The following Sections contain provisions pertaining to signs.

(Ord. No. 07-O-08, §§ 1, 2, 2-27-2007)

§ 78-508.1. Purpose.

It is the purpose of this Article to manage signs, to protect property values, to encourage the most appropriate use of land, to secure safety in the streets, to achieve a more desirable living environment, to protect and enhance the attractiveness of the Town as a place of residence, employment and civic activity, and generally to promote the public safety and welfare.

(1) While in some instances signs are erected in conjunction with other uses, they constitute a separate and distinct use of the land upon which they are erected and essentially a use of the visible portion of adjacent public streets, sidewalks, other public places and private places open to the public. Therefore, it is the purpose of this Article to:

- a. Place such limitations on the display of all signs to ensure that they:
 - 1. Are appropriate to the land, building or use to which they are appurtenant; and
 - 2. Are adequate, but not excessive, for lawfully permitted purposes, such as identification and direction.
- b. Prohibit the erection of signs in such numbers, sizes, and locations as may create danger to the public by obscuring road signs, warning signs, lawfully required notices, and other signs essential to the safety and convenience of the public.
- c. Prohibit signs which are likely to create unsafe conditions by diverting the attention of motorists from their driving for periods likely to result in accidents.
- d. Prohibit signs in such numbers, sizes and locations as may depreciate the value of property and the value and effectiveness of signs erected by others.
- e. Prohibit sign structures which are likely to contribute to any of the prohibited conditions mentioned in this Section which may create a danger of injury or accidental injury to property because of the difficulty of keeping the signs and their structures in good repair or for other reasons.

(2) It is further a purpose of this Article to avoid excessive competition among sign displays in their demand for public attention, so as to maximize the ability of permitted signs to provide identification and direction and to minimize the clutter and unsightliness to the public in general, and dangerous distractions to the motorists of excessive competitive signage clamoring for attention.

(Ord. No. 07-O-08, §§ 1, 2, 2-27-2007)

§ 78-508.2. Applicability.

See § 78-202.7, *Signs*, for information about the applicability of these standards and procedures for obtaining approval from the Town to erect a sign. All signs, unless specifically exempt (78-202.7(c)), require Town approval prior to display.

(Ord. No. 07-O-08, §§ 1, 2, 2-27-2007)

§ 78-508.3. General Standards.

The following standards shall apply within all zoning districts throughout the Town unless otherwise stated.

(1) *Area computations*. The area of a sign face shall be the area within four straight lines forming a rectangle (a maximum of two abutting or overlapping rectangles may be used) enclosing the extreme limits of writing, representation, pictorial elements, emblems, logos or similar including any material or color of the background of the sign that is used to differentiate the sign from the backdrop or structure provided that:

a. The area of a double-faced sign shall be the area of one side only provided that the faces are parallel. If one side is larger than the other the larger of the two shall be used to calculate area. If the signs are not parallel the area of each face shall be calculated and counted as sign area.

b. The supports, uprights, or structure on which the sign is supported shall not be included in determining the sign area unless such supports, uprights or structure area designed in such a manner as to form an integral background of the display.

(2) *Applicable building frontage.* When the size of the sign is controlled by building frontage, applicable building frontage shall not be calculated more than once in determining the permitted sign area.

(3) *Placement of freestanding signs.*

a. Freestanding signs shall not pose a sight distance danger as determined by the Zoning Administrator in accordance with § 78-509, *Visibility Clearance*.

b. Unless otherwise provided in this Chapter, freestanding signs shall be located a minimum of 15 feet from the abutting public right-of-way; and shall be located a minimum of 25 feet from an abutting side lot line.

(4) *Illumination.*

a. Lighting shall be the minimum necessary to be visible at night time and shall not create a distraction or other hazard, such as pinpoint glare, to vehicular traffic.

b. In the case of backlit signs, where permitted, the background shall be designed so that the backlighting only penetrates the letters, logos, symbols, or other message content to reduce unnecessary glare, improve readability at a great distance, and render to the sign itself and the community in general, a more pleasing appearance. In the case of indirect lighting, the source shall be shielded so that it illuminates only the face of the sign.

c. In those zoning districts where the use of exposed neon and other luminous tubing may be permitted, the following restrictions apply:

1. The brightness of neon sign tubing should not be rated at more than 240 lumens per foot.

2. The area and number of such signs shall be included within the permitted sign area for wall signs.

3. A neon sign shall not be visible to any adjacent property zoned R15, R10, or RTC.

4. The Town strongly encourages neon signs to include artistic content such as logos, trademarks, non-text images and other decorative attributes.

(5) *Sign maintenance and removal.*

a. All signs and components of signs shall be kept in a clean, presentable and legible condition. Any sign that has deteriorated in general appearance and, in the opinion of the Zoning Administrator, needs to be repainted, refinished or reworked, in order to restore the original appearance, shall be found to be in violation of this Section.

b. Any sign which becomes a safety hazard or which is not kept in good general condition and reasonably good state of repair and is not, after 60 days' written notice to the owner of the premises or the permittee, put in a safe and good state of repair, is hereby declared a public and private nuisance and may be removed, obliterated or abated by the Zoning Administrator of the Town. Any sign which, in the opinion of the Zoning Administrator, constitutes an immediate or imminent danger to life or property may be caused to be removed or put in a safe condition by him immediately. In either case, the costs of the removal/repair may be charged to the owner of the premises where he has been afforded reasonable notice. Any charge so levied shall be collected as a tax and any such charge having been assessed and which remains unpaid shall constitute a lien against the property as provided in Code of Virginia, Title 15.2.

(6) *Off-site signs.* The Zoning Administrator may permit one freestanding, off-site sign per multi-establishment building or development (or per establishment when only one establishment is involved), where the Town has eliminated or significantly changed (or may do so in the future) public street frontage or public street frontage visibility or access to a public street for the multi-establishment building, development or establishment. The Zoning Administrator shall resolve the question of whether or not the Town has eliminated or significantly altered public street frontage or public street frontage visibility or access. The freestanding, off-site sign may be permitted near the substitute points of public vehicular access to the multi-establishment building, development or establishment. The sign area shall not exceed 24 square feet per sign. The freestanding, off-site sign shall not be mounted on poles, but shall be mounted on a ground-oriented structure. The applicant for this sign shall document to the Zoning Administrator the consent of the owner of the site of the sign for the location and maintenance of the sign, upon which consent and its continuation, the efficacy of the Sign Permit depends. The freestanding, off-site sign shall conform to all design and construction requirements imposed by this Chapter upon similarly situated signs. If more than one set of limitations apply, the sign shall meet the more stringent standard. The Zoning Administrator may permit the freestanding, off-site sign in addition to any other signs that have been permitted or could have been permitted under this Article or that are lawfully in place under this Chapter or general law of this Commonwealth.

(7) *Prohibited signs.* The following signs and attributes are prohibited in all zoning districts unless otherwise stated:

a. All off-site signs are hereby prohibited, unless specifically authorized in this Section.

b. Any sign erected on public land other than those erected at the direction of the duly authorized public authority. Any such unlawfully erected sign is subject to immediate removal and disposal by the Zoning Administrator.

- c. Any sign simulating, or which is likely to be confused with, a traffic control sign or any other sign displayed or required by the public authority. Any such sign is subject to immediate removal and disposal by the Zoning Administrator.
- d. Any portable sign and any vehicle sign on a vehicle or motor vehicle parked in a location that is less than 40 feet from a public right-of-way line or in a location that is less than 15 feet from the edge of any buffer strip between a parking area and a public right-of-way, whichever location is farther from a public right-of-way.
- e. Any sign that violates any provision of any law of the Commonwealth relating to outdoor advertising on streets and highways.
- f. Any sign painted directly on a building, except as otherwise provided in this Section.
- g. Any moving sign intended to attract attention, whether or not any such sign has written message content of which all or any part moves by any means, including fluttering, rotating or otherwise moving, or set in motion by movement of the atmosphere including, but not limited to, pennants, flags, propellers, discs, etc. This Section does not apply to the hands of a clock operating as such.
- h. Any flashing sign displaying flashing or intermittent lights or lights of changing degrees of intensity.
- i. Any signs consisting of illuminated tubing or strings of lights outlining property lines or open sales areas, rooflines, doors, windows or wall edges of any building, provided that perimeter shielded down lighting may be used to illuminate open sales and parking areas.
- j. Any sign attached to living natural vegetation.
- k. Any sign extending above the roofline of a building or its parapet wall.
- l. Any sandwich board sign other than those permitted in § 78-508.6(2)b.
- m. Signs on humans or animals for commercial purposes.
- n. Unless otherwise permitted or restricted by this Chapter, any sign extending more than 20 feet above ground level. (Ord. No. 07-O-08, §§ 1, 2, 2-27-2007)

§ 78-508.4. Signs in Residential Zoning Districts and for Residential Uses in Non-residential or Planned Development Districts.

(a) *Subdivision, neighborhood or community signs.* One freestanding or wall sign per principal street entrance to a neighborhood, subdivision or community (not to exceed two signs per subdivision, neighborhood or community) shall be permitted with a sign area not to exceed 24 square feet per sign, and the maximum height of the sign structure not to exceed eight feet. The maximum height of the message content shall be limited to six feet. Any void between the background of the sign and its base or finished grade shall not exceed three feet in height. The message content is to be limited to the name of the subdivision, neighborhood or community. Such signs shall be a minimum of five feet from any abutting public right-of-way. Such signs shall not pose a visibility clearance danger as determined by the Zoning Administrator in accordance with § 78-509.

(b) *Multiple-family residential uses.* The owner of a multiple-family dwelling project may erect a sign with a maximum aggregate sign area of 24 square feet. Such sign may contain only the name and the type of development to be identified. The sign shall be freestanding or mounted on a wall. In either case, the maximum height above finished grade shall be eight feet. Any void between the background of the sign and its base or finished grade shall not exceed three feet in height. Such sign shall be located no closer to the right-of-way line than 15 feet and no closer to another property line than 25 feet. The owner of a multiple-family dwelling project having frontage on two streets may erect two such signs, but shall not erect more than one sign on the same street. Illumination shall be limited to indirect lighting and the source shall be shielded so as to illuminate only the face of the sign and shall not create on or off-site pinpoint glare.

(c) *Nonresidential uses in residential districts.* Nonresidential uses in a residential district may erect one freestanding sign, with a sign area not to exceed 24 square feet per sign, and the maximum height of the sign structure not to exceed eight feet from finished grade. Any void between the background of the sign and its base or finished grade shall not exceed three feet in height. Such sign shall be located no closer to the right-of-way than 15 feet and no closer to another property line than 25 feet. A nonresidential use having frontage on two streets may erect one sign on each frontage. In no event may the nonresidential use erect more than two such freestanding signs. When changeable message boards are used, the message content may be changed without additional authorization. With the exception of changeable message signs, which may be internally illuminated, illumination shall be limited to indirect lighting and the source shall be shielded so as to illuminate only the face of the sign and shall not create on or off-site pinpoint glare.

Nonresidential uses in a residential district may erect one wall sign with a sign area not to exceed 24 square feet per sign, on each principal building. The maximum height of the wall sign shall not exceed ten feet from finished grade if the sign faces adjacent residential uses or residentially zoned vacant property. If the sign does not face adjacent residential uses or residentially zoned vacant property, the height of the sign shall not exceed 20 feet in height from finished grade. Illumination shall be limited to reverse channel letters with halo illumination or indirect lighting. In the

case of indirect lighting the lighting source shall be shielded so as to illuminate only the face of the sign and shall not create on or off-site pinpoint glare.

(d) *Bed and breakfast establishments.* Bed and breakfast establishments may erect one freestanding sign on the property, with a sign area not to exceed two square feet per sign, and the maximum height of the sign structure not to exceed eight feet from finished grade. The vertical distance between the bottom of the sign board and the finished grade shall not exceed five feet in height. Such sign shall be located no closer to the right-of-way than 10 feet and no closer to another property line than 12 feet. Changeable message boards are not permitted. Illumination shall be limited to indirect lighting and the source shall be shielded to illuminate only the face of the sign and shall not create on or off-site pinpoint glare. The sign shall be placed on the property in conformance with the standards of § 78-509, *Visibility Clearance*.

(Ord. No. 07-O-08, §§ 1, 2, 2-27-2007)

§ 78-508.5. Signs in the Commercial Service, Commercial Office, Planned Development--Business, Office and Light Industrial, and Planned Development--Worldgate Zoning Districts.

(a) *Freestanding signs.*

(1) Each development, regardless of the number of buildings or tenants, is permitted one freestanding sign per street frontage when there is a minimum of 150 linear feet of frontage. Freestanding signs are not permitted on a street frontage of less than 150 linear feet.

(2) The sign area is permitted at a rate of one square foot per each linear foot of building frontage along the street frontage in question, up to a maximum aggregate sign area of 50 square feet.

(3) Freestanding signs shall not be mounted on poles, but shall be mounted on a ground-oriented structure.

(4) The maximum permitted combined height of the structure and sign is 12 feet. The maximum permitted height of message content is eight feet.

(5) To permit instantaneous recognition by the operator of a motor vehicle, lettering shall be a minimum of six inches in height.

(6) For shopping centers and other multi-tenant structures and developments, the maximum aggregate sign area for any and all tenant or occupant signs shall not exceed 50 percent of the total sign area permitted under the terms of this Section.

(b) *Wall signs and window signs.*

(1) The sign area of a wall sign is permitted at a ratio of one square foot of sign area to each linear foot of building frontage or establishment frontage on which the sign is to be displayed. A maximum of 150 square foot per sign is permitted, provided that the maximum aggregate wall sign area does not exceed 250 square feet per building, except as otherwise provided in accordance with an Approved Master Sign Plan.

(2) Buildings or establishments with frontage of less than 25 linear feet shall be allowed a maximum of 25 square feet of wall sign area, provided that the aggregate wall sign area does not exceed 250 square feet per building, except as otherwise provided in accordance with an Approved Master Sign Plan.

(3) Exterior wall signs shall be affixed directly on the wall, shall project no more than 18 inches there from.

(4) Exterior wall signs and window signs shall not exceed a height of 20 feet above finished grade except as provided in this Section for multi-story office buildings.

(5) Multi-story buildings, with or without ground floor retail uses, that exceed 35 feet in height above finished grade are permitted to display at a height exceeding 20 feet above finished grade two wall signs (which are not window signs) on each building frontage. In the O&LI district, building frontage for this purpose shall include any building facade that features the building's primary public entrance and excluding: emergency exits, service entrances, secondary public entrances, and any building facade facing abutting land zoned residential. The signs shall be placed a minimum of 175 feet apart, measured on the respective building frontage and shall be included within the maximum 250 square foot sign area limitation per building.

(6) No window sign or combination of window signs shall exceed 25 percent of the aggregate window area. No window sign shall have an area exceeding 25 square feet and no window sign may block visibility through a single window by more than 50 percent.

(7) All window signs shall be included in the permitted wall sign area except as provided for Master Sign Plans.

(8) Buildings or establishments with frontage of less than 25 linear feet shall be allowed a maximum of 25 square feet of window sign area in addition to the establishment's maximum wall sign area of 25 square feet. The additional window sign area shall be included within the maximum 250 square foot sign area limitation per building.

(9) Buildings or establishments with frontage of less than 25 linear feet shall not display any single neon window sign exceeding ten square feet in sign area.

(c) *Miscellaneous signs.*

(1) Theater marquees containing changeable message content shall be permitted up to 48 square feet in addition to the otherwise permitted sign area for that use. Such marquees shall otherwise conform to the requirements of this Article.

(2) Directory signs are permitted, in addition to the signs permitted elsewhere in this Article, in multiple building complexes or shopping centers, out of doors, where not visible to the motoring public, upon specific approval of the Architectural Review Board. Freestanding directory signs may be located near parking areas and at principal intersections within the site, but shall be a minimum of 50 feet from any public right-of-way.

(3) Motor vehicle fuel price signs, one per parcel or lot, shall be permitted in addition to the signs permitted elsewhere in the Article, for those merchants engaged in the retail sale of motor vehicle fuel. Such signs are not to be mounted on poles, but shall be mounted on a ground-oriented structure, and must be clearly visible from both directions of street traffic. The maximum sign area is limited to 20 square feet. Except as specifically permitted in this Section, motor vehicle fuel price signs shall conform to all requirements of this Article.

(Ord. No. 07-O-08, §§ 1, 2, 2-27-2007)

§ 78-508.6. Signs in the Central Commercial and Planned Development--Downtown Zoning Districts.

The standards of this Section apply for uses contained in Sectors 1 through 6 of the Herndon Downtown as identified in the Herndon 2010 Comprehensive Plan adopted June 19, 2001, as may be amended from time to time.

(1) *Review Board.* For the purpose of aiding in implementing the intent of these districts, the Architectural Review Board or the Heritage Preservation Review Board, as appropriate, must first approve the number, style, color, location, and size, type of illumination and materials of all signs to be erected in these districts. Regarding sign size, the Board may require a sign to be smaller than the maximum permitted by this Article for purposes of achieving appropriate scale in relation to the building and its surroundings.

(2) *Freestanding.*

a. One freestanding sign with a maximum height of eight feet and maximum area of 24 square feet shall be permitted on any parcel having a non-residential or multiple-family use in these districts. The sign shall be placed in accordance with setback regulations established for the district in which it is located, and shall be placed no closer than eight feet to an abutting side lot line.

b. One sandwich board sign may be approved in writing by the Zoning Administrator, in accordance with § 78-202.7(g), or for each building in the CC of PD-D District and for which a freestanding sign is not permitted provided that all of the following criteria are met:

1. No more than one such sign will be displayed;
2. The colors, design, and content are consistent with the statement of intent of the zoning district within which it is located;
3. Each sign face does not exceed 12 square feet in total area;
4. The total area of each side of the sign structure (including legs) is the same and does not exceed three feet in width and four feet in height, with no extensions or projections;
5. The sign will not be located closer than five feet from a side lot line;
6. If located in a public right-of-way adjacent to the building in which the business is located, at least six feet of clear sidewalk width will be maintained;
7. The sign will not be located within a parking area, interfere with any sight distance area, or obstruct the loading or unloading of any passenger or commercial vehicle;
8. The sign information will be permanently affixed to the faces of the sign, and each face shall contain the same information (message content may be changed without additional approvals);
9. The sign will be made of wood and constructed in a sturdy manner;
10. The sign will not be illuminated in any manner;
11. The sign will be displayed only when the business is open and stored indoors at all other times;
12. The Zoning Administrator or designee may order the removal of the sign if the Zoning Administrator finds that the sign violates any of the regulations contained within this Chapter; and
13. Such sign located within a public right-of-way or public access easement may be removed without notice if the Town manager or designee finds that the sign is a public nuisance, creates a safety hazard, or if it is in the way of Town operations.

(3) *Wall and window signs.*

a. Sign area shall be permitted on a basis of one square foot of sign area per linear foot of building frontage on a public street. In the case of a corner lot, each street frontage shall be used for individual calculations of permitted sign area for the respective frontage. Unless otherwise restricted, the maximum allotted sign area for signs requiring a permit in these districts shall be 50 square feet per establishment.

b. Permanent window signs shall not obscure more than 20 percent of the glass area and shall not exceed a height of 20 feet above finished grade.

c. Exterior wall signs shall not exceed a height of 15 feet above finished grade or the sill of the second story windows, whichever is lower, except as provided in this Section for multi-story office buildings.

d. Multi-story office buildings, with or without ground floor retail uses, which exceed 35 feet in height above finished grade are permitted to display at a height exceeding 20 feet above finished grade up to two wall signs (which are not

window signs) on each building frontage. Such signs shall be included within the maximum square foot sign area limitation per building.

(4) *Projecting signs.* Signs may project over the public right-of-way, provided that they do not become a hazard or a public nuisance. No sign shall project more than four feet from the face of the building. Such signs shall not exceed 10 square feet in sign area and shall be a minimum of nine feet from sidewalk grade. The sign area of projecting signs shall be included in the establishment's permitted sign area.

§ 78-508.7. Master Sign Plan.

(a) Within any business district (CC, CS, CO, O&LI, PD-W, PD-B, and PD-D) any non-residential development in which two or more individual establishments are located may request the approval of a Master Sign Plan for window and wall signs pursuant to § 78-202.7(d), *Sign Permit and Master Sign Permit*.

(b) A Master Sign Plan establishes a uniform facade and design detail plan for all window and wall signs requiring permits that are to be used on the building(s) and within the development. The elements established in a uniform facade and design detail plan include colors, materials, aesthetic balance and composition, height and width, area, placement, and typeface, as well as the use of any symbols, designs, and logos.

(c) *Master Sign Permits allow that:*

(1) The maximum aggregate sign area of all wall signs in a Master Sign Plan may exceed 250 square feet per building based upon frontage, but shall not exceed one square foot of signage for every linear foot of frontage.

(2) Arcade signs not to exceed two square feet per establishment are permitted.

(3) The definition of the term frontage for the purpose of calculating sign area is expanded to include any building facade that contains a public entrance. Service entrances or emergency exits shall not constitute a public entrance.

(4) Each ground floor establishment with 25 feet or more of establishment frontage may install up to 25 square feet (aggregate area) of additional non-temporary window signs.

(Ord. No. 07-O-08, §§ 1, 2, 2-27-2007)

§ 78-508.8. Master Sign Plan Conformance Permit.

To ensure window and wall signs erected by an individual establishment in a development subject to a Master Sign Plan conform to the approved Master Sign Plan Permit, each individual establishment shall have a Master Sign Plan Conformance Permit approved pursuant to the requirements of § 78-202.7(e) prior to the erection or construction of any window or wall signs. Master Sign Plan Conformance Permits shall be subject to the administrative review process and shall not require an application for review by the Architectural Review Board or Heritage Preservation Review Board unless found by the Zoning Administrator not to conform to the approved Master Sign Plan Permit.

(Ord. No. 07-O-08, §§ 1, 2, 2-27-2007)

§ 78-508.9. Modification from Master Sign Plan for Individual Establishment.

To provide flexibility in the administration of an Approved Master Sign Plan, individual establishments subject to the Master Sign Plan may request the Review Board that approved the Master Sign Plan to modify the Master Sign Plan requirements for the individual establishment (modification from Master Sign Plan for individual establishment) pursuant to the requirements of § 78-202.7(f).

(Ord. No. 07-O-08, §§ 1, 2, 2-27-2007)

§ 78-508.10. Temporary Signs.

The Zoning Administrator may permit establishments to erect and display the following temporary signs with the granting of an Administrative Sign Approval, in accordance with the provisions of § 78-202.7(g):

(1) One special event temporary sign (see "sign, temporary") not to exceed 24 square feet displayed for no more than 45 consecutive days.

(2) An emergency temporary sign (see "sign, temporary") not to exceed 24 square feet displayed for no more than 90 consecutive days. An emergency temporary sign that replaces an approved sign or signs may be constructed of a different material and erected in a different location from the approved sign.

(3) Up to two signs, the combined area of which shall not exceed 50 square feet, in conjunction with a temporary use reviewed pursuant to § 78-202.6(c)(6).

(Ord. No. 07-O-08, §§ 1, 2, 2-27-2007)

Article VII. Definitions, § 78-701. Definitions.

Sign. Any word, numeral, figure, design, trademark, flag, pennant, twirler, light, display or other device of any kind which, whether singly or in any combination, is used to attract attention, direct, identify, inform, persuade, advertiser for the purpose of visually attracting attention of the public while viewing the sign from outdoors.

Sign, arcade. A sign identifying an individual establishment, intended for pedestrian traffic, not exceeding two square feet, and mounted substantially perpendicular to the building on the underside of a marquee or similar fixed protective covering.

Sign area. The entire area within four straight lines forming a rectangle (a maximum of two abutting or overlapping rectangles may be used) enclosing the extreme limits of writing, representation, pictorial elements, emblems or a figure of similar character together with all material, color or lighting forming an integral part of the display or used to differentiate the sign from the background against which it is placed, provided that:

(1) The area of a double-faced sign shall be considered to be the area of one side only. Should one face contain a larger sign area than the other, the larger face shall be used in calculating the sign area; and

(2) The supports, uprights or structure on which any sign is so supported shall not be included in determining the sign area unless such supports, uprights or structure area are designed in such a manner as to form an integral background of the display.

Sign, campaign. See "sign, political."

Sign, canopy. Any sign that is a part of or attached to a structural protective cover over a door, entrance, window or outdoor service area. A marquee is not a canopy sign.

Sign, changeable copy. Any sign designed so that letters or numbers attached to the sign can be periodically changed to indicate a different message.

Sign, contractors. Any sign bearing the names of contractors, architects, engineers, financial institutions, and the like, or advertising, promotions, price ranges and similar information, which is placed at a construction site that has received Site and/or Subdivision Plan Approval.

Sign, development project. See "Sign, subdivision."

Sign, directional. Any incidental sign that provides on-site or off-site directional assistance for the convenience of motorists or pedestrians, such as a sign indicating the location of exits and entrances and parking lots.

Sign, directory. A ground or building sign that lists tenants or occupants of a building or project, with unit numbers, arrows, or other directional information.

Sign, flashing. A sign, the illumination of which is not constant in intensity when in use, and that exhibits sudden or marked changes in lighting effects.

Sign, freestanding. A sign which is mounted on a support structure independent of support from any building. The support structure carries no commercial message that differs from the sign message area.

Sign, freestanding off-site. A freestanding sign located on a separate parcel of land than the use it serves. See also "Sign, off-site."

Sign, fuel. A sign intended to display the price of gasoline, kerosene, or other vehicle fuel.

Sign, height. The maximum vertical distance from the uppermost extremity of a sign or its support to the average ground level at the base of the sign.

Sign, identification. A sign bearing the address of the premises or name of the occupant, but containing no logo or commercial message.

Sign, illegal. Any sign erected or maintained in violation of a prior Sign Ordinance or erected, altered, removed, or replaced in violation of this Chapter or any amendments hereto.

Sign, marquee. A sign with changeable copy and attached to or mounted on top of a marquee.

Sign, moving. A sign that moves either by its own power, by wind, or otherwise.

Sign, neighborhood. See "Sign, subdivision."

Sign, noncommercial. A sign the message content of which is wholly limited to noncommercial communication. No sign with a commercial message legible from a position off the site on which the sign is located shall be considered secondary.

Sign, nonconforming. Any sign that met all requirements of the Town at the time it was erected, but does not conform to the requirements of this Chapter or any sign related to a use or business that ceases to exist or operate for a continuous period of 90 days.

Sign, off-site. Any sign that is used to attract attention to an object, person, product, institution, organization, business, service, event, or location that is not located on the premises upon which the sign is located. This shall not include traffic, directional or regulatory signs or notices erected by a federal, state, county, or municipal government agency.

Sign, political. A sign attracting attention to or expressing support for a candidate for public office or another position regarding a public figure or issues, but bearing no commercial message.

Sign, portable. Any sign not permanently attached to the ground or other permanent structure or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs made as A-frames or T-frames; balloons used as signs, umbrellas used for commercial messages; signs held or worn by a person as a costume or as a sign with commercial content; and signs attached to or painted on vehicles or trailers parked and visible from the public right-of-way.

Sign, projecting. Any sign attached to a building wall and extending laterally more than 18 inches from the face of such wall.

Sign, real estate. A sign advertising real property for sale or for lease.

Sign, shingle. A sign containing a maximum aggregate sign area of four square feet, mounted by means of one vertical post, not to exceed eight feet in height and one horizontal member not to exceed 3 1/2 feet in length from which such sign shall be hung. The message content of such sign shall be no more than six feet above ground level. It shall also mean a sign containing a maximum aggregate sign area of two square feet mounted on, and perpendicular to, a building, the upper extremity of such sign to be no more than ten feet above ground level.

Sign, subdivision. A sign that gives the name of a residential or non-residential subdivision or multi-family development.

Sign, temporary. A short-term sign displayed to:

- (1) Notify the public of special events, grand openings or other significant temporary, nonrecurring incidents or activities not including sales and other common merchandising events (Special Event Temporary Sign); or
- (2) Accommodate an act of God, emergency or other exigency which causes unanticipated disruption or discontinuance of the display of approved signs or sign or of an approved Master Sign Plan (Emergency Temporary Sign.)

Sign, vehicle. Any sign exceeding two square feet in size displayed on or attached to a vehicle or motor vehicle, located to serve the function of an on-site or an off-site sign, as determined by the Zoning Administrator using the standards as set out in § 78-508.1, *Purpose*.

Sign, wall. Any sign attached to or supported by the face or the outside wall of a building. This definition includes window sign.

Sign, window. A sign attached to, in front of, or applied directly onto the window surface, or located in the interior of the building within five feet of a window if non-illuminated or within 15 feet if illuminated, and which can be viewed readily by the general public from outside the structure. See "Sign, wall."